Draft: 10/7/66

Dr. Robert H. Bahmer
Archivist of the United States
National Archives
Washington, D. C.

Dear Dr. Bahmer:

The family of the late President John F. Kennedy shares the concern of the Government of the United States that the personal effects of the late President which were gathered as evidence by the President's Commission on the Assassination of President Kennedy, as well as certain other materials relating to the assassination, should be deposited, safeguarded and preserved in the Archives of the United States as materials of historical importance. The family desires to prevent the undignified or sensational use of these materials (such as public display) or any other use which would tend in any way to dishonor the memory of the late President or cause unnecessary grief or suffering to the members of his family and those closely associated with him. We know the Government respects these desires.

In consideration of the mutual interest of the family of the late President and of the Government of the United

States in achieving the aforesaid objectives, the executors of the estate of the late President, with the approval of the members of his family named in paragraph (5), hereby transfer to the United States all their right, title and interest in, and deposit with the Archivist of the United States, all the personal clothing of the late President now in the possession of the United States Government and referred to in Appendix A, together with those x-rays and photographs connected with the autopsy of the late President referred to in Appendix B, and the Archivist of the United States, in accordance with the provisions of 44 U.S.C. 397(e)(1) and ADM-P 5450.39 dated May 5, 1964, ch. 8, para. 1, accepts the same, for and in the name of the United States, for deposit in the Archives of the United States, subject to the following restrictions as to their use:

(1) Access to and inspection of the material referred to in Appendix A and Appendix B shall be permitted only to:

(a) Any person authorized to act for a committee of the Congress or other official agency of the United States Government having appropriate authority to investigate matters relating to the death of the

late President, for purposes within the investigative jurisdiction of such committee or agency.

(b) Any recognized expert in the field of medicine, ballistics, textiles or any other area of science or technology, for purposes relevant to the investigation of matters relating to the death of the late President; provided, however, that the decision of the Archivist shall be final as to who may qualify as a recognized expert and provided, further, that the Archivist may consult with appropriate professional and technical organizations in making such determination. The Archivist shall limit the scope of access and inspection by any expert to that portion of the materials referred to in Appendix A and Appendix B as in the judgment of the Archivist may be of legitimate technical or professional concern to such expert.

Access to and inspection of any of the materials referred to in Appendix A and Appendix B shall be subject to such restrictions and limitations as may be legally imposed by the Archivist and which he may deem appropriate for their safekeeping and preservation, for the proper administration of

the National Archives, or for the effectuation of his obligation under paragraph (2) hereof.

(2) None of the materials hereby transferred to the United States and deposited with the Archivist shall be placed on public display, nor shall photographs or other reproductions of any of such materials be published or otherwise publicly distributed (unless the same were heretofore published as part of the Report or Hearings of the President's Commission or otherwise publicly distributed), without the prior written consent of all of the individuals named in paragraph (5) then living or of the Kennedy family representative designated pursuant to paragraph (7). It shall be the obligation of the Archivist to exercise his best efforts to enforce the foregoing restrictions and, in furtherance thereof, (a) to obtain advance agreement to the foregoing restrictions from all persons given access to or permitted to inspect the materials pursuant to paragraph (1), and (b) to take such further actions (including legal action to restrain violations of said restrictions) and impose such further restrictions and conditions upon access and inspection as he may deem appropriate.

(3) All duties, obligations and discretions herein conferred upon the Archivist of the United States shall inure to each holder of that office from time to time, and to any official of the United States Government who may become the successor to the functions with respect to President's Commission materials presently vested by Public Law 89-318 in the Administrator of General Services and by him delegated to the Archivist.

(4) In the event of a material breach of this agreement by any person acting or purporting to act on behalf of the United States, the undersigned executors or any of the individuals named in paragraph (5) may sue in the District Court of the United States for the District of Columbia for such relief as the court may deem appropriate to enforce the provisions of this agreement.

(5) The provisions of paragraphs (1) through (4) shall remain in force during the lives of the survivors or survivor of Jacqueline Bouvier Kennedy, Robert F. Kennedy, Edward Moore Kennedy, Patricia Kennedy Lawford, Eunice Kennedy Shriver and Jean Kennedy Smith.

(6) This agreement may be amended, modified or terminated only by the written consent of the Archivist and either all of the individuals named in paragraph (5) then living or the Kennedy family representative designated pursuant to paragraph (7).

(7) The Archivist shall be entitled to consult with the Kennedy family representative designated pursuant to this paragraph, and to rely upon his statements in writing as representing the views of the Kennedy family, in connection with the construction or application of this agreement in particular cases. The Kennedy family representative shall be [insert name], provided, however, that he or any successor designated as such may be replaced at any time by notice in writing to the Archivist signed by a majority of the individuals named in paragraph (5) then living and, if the estate of the late President shall not then have been closed, also signed by the executors thereof.

If the foregoing terms are acceptable to the Government of the United States, please execute this agreement by

signing on behalf of the Government the approval clause set forth below.

Sincerely,

Executors of the Estate of
John F. Kennedy

Approved:

United States of America
by Robert H. Bahmer
Archivist of the United States

APPENDIX A

Clothing worn by the late President at the time of his assassination, identified by the following exhibit numbers:

Commission Exhibit Nos. 393, 394, 395.

FBI Nos. C 26, 27, 28, 30, 33, 34, 35, 36.

APPENDIX B

_____ autopsy photographs and _____X-rays.

[Number of each to be inserted]